

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ZACHARY BROWN	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, <i>et al.</i>	:	NO. 25-2239

ORDER

AND NOW, this 14th day of July 2025, upon consideration of Defendants’ Motion to Dismiss (Document No. 5), Plaintiff’s Memorandum of Law in Opposition thereto (Document No. 6), Defendants’ Reply (Document No. 7), and for the reasons contained in the court’s Memorandum Opinion of today, it is hereby **ORDERED** that Defendants’ Motion is **GRANTED**, as follows:

1. Counts I-III of the Complaint against the City of Philadelphia are **DISMISSED**, with prejudice.
2. Count IV of the Complaint against all Defendants is **DISMISSED**, with prejudice.
3. Count V (misabeled as a second Count IV) against the City of Philadelphia is **DISMISSED**, without prejudice.

It is further **ORDERED**, that, by July 28, 2025, Plaintiff may move to file an amended Complaint to plead federal constitutional claims against the individual Defendants and to plead additional facts which would allow the City of Philadelphia to be liable for any federal constitutional violations the individual Defendants may have committed.

BY THE COURT:

/s/ Carol Sandra Moore Wells
CAROL SANDRA MOORE WELLS
United States Magistrate Judge